

CHARTER FOR THE ADVISORY COMMITTEE ON ACCESSIBLE AIR TRANSPORTATION

1. COMMITTEE'S OFFICIAL DESIGNATION: The Committee's official designation is the Advisory Committee on Accessible Air Transportation (ACCESS Advisory Committee).
2. AUTHORITY: The Committee is being established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, as a discretionary advisory Committee under the authority of the U.S. Department of Transportation (Department). The formation and use of the ACCESS Advisory Committee are determined to be in the public interest. The Committee is also established in accordance with the Negotiated Rulemaking Act, 5 U.S.C. § 561-570.
3. OBJECTIVES AND SCOPE OF ACTIVITIES: The Committee will be a negotiate rulemaking Committee that will provide recommendations based on a consensus-based process related to the following
 - a. Addressing the feasibility of ensuring that the same in-flight entertainment (IFE) and onboard communications that are available to all passengers are accessible to passengers with disabilities;
 - b. Determining the appropriate definition of a service animal and establishing safeguards to reduce the likelihood that passengers wishing to travel with their pets will be able to falsely claim that their pets are service animals; and
 - c. Addressing the feasibility of accessible lavatories on new single aisle aircraft.
4. DESCRIPTION OF DUTIES: The duties of the Committee are to achieve consensus recommendations on a rulemaking that address the issues listed above and any other issues the Committee determines are relevant to the rulemaking. A representative (or representatives) of the Department will participate as a full Committee member(s), as authorized under 5 U.S.C. 566(b).
5. OFFICIALS TO WHOM THE COMMITTEE REPORTS: The Committee will report to the Secretary of Transportation through the Department's Office of the General Counsel.
6. SUPPORT: The Office of the General Counsel will provide necessary funding, logistics, administrative, and technical support for the Committee, including subject matter experts and economists.
7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS: The estimated annual cost associated with supporting the Committee is \$785,000, including staff time through November 2016.

8. DESIGNATED FEDERAL OFFICER (DFO):

- a. The DFO for the Committee is the Department's Assistant General Counsel for Aviation Enforcement and Proceedings or her designee, who must be either a full-time or permanent part-time Federal employee.
- b. The DFO will nominate a facilitator to impartially aid in the discussions and negotiations among the members of the Committee to develop recommendations for a rulemaking. The facilitator will be selected in accordance with § 566(c) of the Negotiated Rulemaking Act.
- c. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meetings when she determines adjournment to be in the public interest, and chair meetings when directed to do so by General Counsel or the Secretary.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:

- a. The Committee is estimated to meet six times in 2016, beginning in May 2016. As necessary, special and subcommittee meetings may be called by the DFO.
- b. Notice of each Committee meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. The meeting agenda and all relevant meeting information will be posted in advance of each meeting at www.regulations.gov in docket DOT-OST-2015-0246.
- c. Meetings shall be open to the general public, except as provided under section 10(d) of FACA (as implemented by 41 C.F.R § 102-3.155), the Government in the Sunshine Act (5 U.S.C. § 552b(c)), and DOT Order 1120.3B.
- d. Minutes of each meeting shall be certified by the DFO or her designee and maintained by the sponsor. The minutes, as certified, shall be available for public inspection and copying at www.regulations.gov in docket DOT-OST-2015-0246.

10. DURATION: In accordance with 41 CFR §102-3.30(b), the Committee will terminate when the stated objectives of the Committee have been accomplished (i.e., the committee submits its recommendations to the Secretary) or upon the expiration of a period not to exceed 2 years, unless the charter is renewed.

11. TERMINATION: This charter shall terminate 2 years from its filing date unless renewed in accordance with FACA.

12. MEMBERSHIP AND DESIGNATION:

- a. The Committee shall be composed of no more than 25 members appointed by the Secretary for up to one 2-year term. Additional members may be appointed only if the Secretary determines that they are necessary for the functioning of the Committee or to achieve balanced membership.
- b. Members serve at the pleasure of the Secretary.
- c. Members shall be appointed as representatives of entities or interests. Interests to be represented on the committee include, but are not limited to, the following: disability advocacy organizations, airlines, airports, and aircraft manufacturers. The Committee shall include at least one member representing the Department. Other Federal agencies that have a regulatory interest in the issues to be addressed (e.g., Department of Justice, the Federal Communications Commission, and the United States Access Board) may also participate.
- d. To ensure the recommendations of the Committee have taken into account the diversity of groups served by the Department, in addition to persons with disabilities, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities and women.

13. SUBCOMMITTEES: The Department has the authority to create subcommittees. Subcommittees shall not work independently of the chartered ACCESS Advisory Committee and shall report all of their recommendations and advice to the full ACCESS Advisory Committee for deliberation and discussion. Subcommittees must not provide advice or work products directly to the Department.

14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552. Committee documents will be available at <http://www.regulations.gov>, Docket number DOT-OST-2015-0246.

15. FILING DATE: The filing date of this charter is effective April 25, 2016. The Committee will remain in existence for two years after this date unless sooner terminated or renewed.